

REMARKS

Claims 1-6 are pending.

In the Office action, the Examiner required clarification of claim 2 regarding the "attachment portion." Claim 2 has been amended to clarify that the attachment portion recited in that claim refers to the attachment portion recited in claim 1. An example is illustrated in FIG. 3, in which the leveling device 80 is supported by the lamp body 20 through the attachment portion 90. Accordingly, applicant respectfully requests entry of the amendment and withdrawal of the objection to claim 2.

The claims were rejected as follows:

- (1) Claim 6 was rejected as anticipated by U.S. Patent No. 6,017,136 (Burton).
- (2) Claims 1-5 were rejected as unpatentable over the Burton patent.

As discussed below, applicant respectfully requests reconsideration.

Claim 6

Claim 6 recites, in part, a leveling device supported by a lamp body through an attachment portion. An example is illustrated in FIG. 3 of the pending application in which the leveling device 80 is supported by the lamp body 20 through the attachment portion 90.

The Burton patent discloses a fog lamp assembly (FIG. 9) that includes a support frame 34, a lens 32 covering the front opening of the support frame, and a reflector 30. The Burton patent, like the pending application, makes it clear that the lens is not part of the support frame (*see, e.g.*, col. 1, lines 9-15). An adjuster 20 for adjusting the reflector extends through the lens 32 and engages a slot 28 in the reflector.

In contrast to the subject matter of claim 6, the adjuster 20 of the Burton patent is not supported by the support frame 34 (which corresponds to the "lamp body" of claim 6). Instead, the adjuster 20 is supported by the lens 32. As explained by the Burton patent:

Installing an adjuster 20 in accordance with the present invention in a fog lamp assembly 38 (FIG. 9) is a simple process. After the length of the adjuster 20 has been adjusted such that the mounting clip 24 will properly engage the receiving slot 28, the assembled adjuster 20 is inserted through the hole 68 in the lens 32 such that the mounting clip 24 snappingly engages the receiving slot 28 in the reflector 30. As the mounting clip 24 engages the receiving slot 28, the retainer clip 25 snaps into place on the inside 66 of the lens 32 such that gasket 26 is compressed to seal the connection between the hole 68 and the shaft 58 of the screw 22.

(Col. 6, lines 21-32; *see also* col. 5, lines 57-58) Indeed, the Burton patent explains that fog lamps, like the lamp shown in FIG. 9, “must” be adjusted from the front (col. 1, lines 30-32). Therefore, not only is the subject matter of claim 6 not anticipated by the Burton patent, but there would have been no motivation for a person of ordinary skill to modify the fog lamp of FIG. 9 of the Burton patent so that the adjuster 20 is supported by the support frame 34 rather than the lens 32.

FIG. 10 of the Burton patent illustrates an adjuster 20 attached to the support frame 34 in a headlight assembly (FIG. 10). However, such an arrangement is not suitable for the fog lamp of FIG. 9 for the reasons discussed above. Furthermore, in the headlight assembly of FIG. 10, the reflector 30 is not coupled to the adjuster 20 at a position behind the retainer clip 25. Therefore, even if the adjuster were considered to correspond to the claimed “leveling device,” and even if the retainer clip 25 were considered to correspond to the claimed “attachment portion,” FIG. 10 of the Burton patent does not disclose or suggest that the reflector is coupled to the leveling device at a position “behind the attachment portion” as recited in claim 6.

At least for the foregoing reasons, claim 6 should be allowed.

Claims 1-5

Claim 1 recites, in part, that the reflector tilting means is attached to an attachment portion “provided within the lamp body.” Even if the support frame 34 corresponds to the

claimed "lamp body," although the retainer clip 25 is partially located within an area defined by the support frame 34, the retainer clip is not "within" the support frame as recited in claim 1 (*i.e.*, it is not integrated with the lamp body (*see* specification, page 9, lines 3-5)). Instead, as discussed above, and as shown in FIG. 9, the retainer clip 25 is partially "within" the lens 32, which is not part of the support frame. Therefore, the subject matter of claim 1 is not rendered obvious by the Burton patent.

Dependent claims 2-5 recite further features which render those claims independently patentable. For example, there is no support for the conclusions in the Office action regarding dependent claims 3 and 5. In particular, the Burton patent does not disclose or suggest that an attachment portion "fixed to the lamp body" as recited in claim 3. Nor does that patent disclose or suggest that the reflector is supported at two points as recited in claim 5. The Office action's conclusions to the contrary have no basis.

In addition, the Office action alleges (at page 4, line 15) that the feature 28 in FIG. 9 of the Burton patent corresponds to the driving source recited in claim 2. That is incorrect. Reference numeral 28 identifies a "receiving slot" (*see, e.g.*, Burton patent, col. 6, lines 21-27). In contrast, examples of the "driving source" as recited in claim 2 include a motor or solenoid (page 9, line 10). The Burton patent does not disclose or suggest the claimed "driving source."

At least for the foregoing reasons, the rejections of claims 1-5 should be withdrawn.

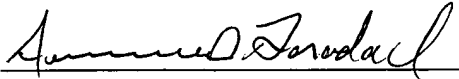
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